

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Rejection of claims 1 and 2 under 35 U.S.C. § 103(a)

Claims 1 and 2 presently stand rejected as being unpatentable over Byrd (U.S. 5,466,237) in view of Blackburn (U.S. 2,108,957). This rejection is respectfully traversed for at least the following reasons.

Claim 1 is amended to incorporate the features set forth in claim 2, and claim 2 is cancelled accordingly.

Amended claim 1 sets forth a nut comprising a plate mounted in free rotation in, and extending diametrically across, an open cylindrical inner part of the nut, the plate having a width such that two lateral clearances are defined on either side of the plate in order to allow passage of the branches of the fixing head inside the nut, whereby the plate is allowed to slide between the branches, *and* wherein the two lateral clearances are configured to permit the insertion of two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut on the fixing head.

By this arrangement, the lateral clearances accommodate both the branches of the fixing head and the two pins of an auxiliary tool, such that the auxiliary tool can be used to turn the nut onto the fixing head.

It is respectfully submitted that Byrd and Blackburn, either individually or in any combination, fail to disclose or suggest all of the elements of claim 1.

In particular, these references fail to disclose or suggest a nut comprising a plate mounted in free rotation in, and extending diametrically across, an open cylindrical inner part of the nut.

The examiner recognizes this deficiency in Byrd, noting that "Byrd fails to disclose the device wherein the threaded nut further includes a plate mounted in free rotation in the

bore of the threaded nut wherein the width of the plate defines two lateral clearances capable of allowing the branches of a fixture [to] pass through.” (page 3 of the Office action).

It is respectfully submitted that Blackburn also fails to disclose or suggest a threaded nut further including a plate mounted in free rotation in the bore of the threaded nut.

Blackburn discloses a cupped washer or bearing element 16 rotatably mounted over a boss 15, formed around an inner face of the nut. (see *Blackburn*; 1<sup>st</sup> col. of page 2, lines 45-50). However, referring especially to Blackburn’s Figs. 2, 3, and 6, it can be seen that this washer 16 is not mounted within the bore of nut 13, but as Blackburn explains, is mounted over the boss 15, which is external to the bore of the nut 13.

Therefore, it is respectfully submitted that while elements of the washer 16, or elements fixed to the washer 16 such as looped brace 19 extend into the bore of the nut 13, none of these elements are “mounted in free rotation *in*” an open cylindrical inner part of the nut 13.

Further, it is respectfully submitted that the references together fail to disclose or suggest that two lateral clearances are defined on either side of the plate in order to allow passage of the branches of the fixing head inside the nut, whereby the plate is allowed to slide between the branches, *and* the two lateral clearances are configured to permit the insertion of two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut on the fixing head.

As the examiner has recognized, Byrd does not disclose or suggest the plate mounted in free rotation in, and extending diametrically across, an open cylindrical inner part of the nut. Accordingly, Byrd cannot disclose or suggest that two lateral clearances are defined on either side of such a plate in order to allow passage of the branches of the fixing head inside the nut, and Byrd further cannot disclose or suggest that the two lateral clearances are configured to permit the insertion of two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut on the fixing head.

Blackburn also fails to disclose or suggest that two lateral clearances are defined on either side of such a plate in order to allow passage of the branches of the fixing head inside the nut, *and* that the two lateral clearances are configured to permit the insertion of two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut on the fixing head.

Construing, *arguendo*, Blackburn's washer 16 and the rib 18 and brace 19 to correspond to the claimed plate, there is no teaching or suggestion of two lateral clearances configured to permit the insertion of two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut on the fixing head, in addition to allowing passage of the branches of the fixing head inside the nut.

On the contrary, referring to Blackburn's Figs. 5 and 10, it can be seen that the legs 2 and 3 of the keeper lug 1 entirely fill the spaces on either side of the rib 18 of the washer 16. There is no space provided for the insertion of any pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut onto the keeper lug 1.

Therefore, Blackburn cannot be construed to meet both of the elements of claim 1, wherein the two lateral clearances accommodate, inside the nut, both the branches of the fixing head *and* two pins of an auxiliary tool for gripping the nut.

Not only does Blackburn not disclose or suggest that any lateral clearance is configured to accommodate two pins of an auxiliary tool for gripping the nut in order to facilitate assembly of the nut onto the keeper lug 1, Blackburn does not disclose or suggest any such tool at all, or any type of specialized tool for tightening the nut 13 onto the keeper lug 1.

Therefore, Blackburn lacks any teaching at all that would lead a person of ordinary skill in the art to the presently claimed invention.

For at least these reasons, it is respectfully submitted that Byrd and Blackburn fail to form a *prima facie* case of obviousness of the presently claimed invention. Therefore claims 1 and 3-6 are allowable over the cited references, and withdrawal of the rejection is requested.

List of references cited by the examiner

Applicant notes that, while the claims are rejected in view of Byrd (U.S. 5,466,237) and Blackburn (U.S. 2,108,957), the Byrd patent is not listed on the Notice of References Cited (form PTO-892) included with the recent Office action, although the Blackburn patent is listed twice. Applicant requests that the Byrd patent be listed on form PTO-892 to indicate the examiner's consideration of this reference.

Conclusion


In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1 and 3-6 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Date: September 24, 2007

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